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Our reference JLS/4000242-0004-0
cn226821cn2

Your reference

30 September 2002

The Owner(s) / Occupier(s)
Woodside Caravan Park
Hatch Road
Hatch
Bedfordshire

Delivered by Hand

Dear Sir / Madam

Our client: Mid Bedfordshire District Council
Woodside Caravan Park
Injunction requiring return to lawful planning use

We act for Mid Bedfordshire District Council. Our client is the Local Planning Authority responsible for the unauthorised Woodside Caravan Park ("the Site") at Hatch Road, Hatch.

In August 2001 our client started proceedings in the High Court against all known owners and occupiers of the Site, and also against those "Persons Unknown" who were owners and occupiers of the site whose names were not known. Our client sought an injunction requiring the existing breaches of planning control to be remedied and requiring the land to be returned to its lawful planning use, which is use for agriculture. Certain of the owners and occupiers of the site were represented in those proceedings and at the trial by either the Community Law Partnership in Birmingham or Peter Kingshill & Co in London, who together represented all the Defendants who acknowledged service of the proceedings. Other owners and occupiers, of the Site, some of whom were parties to the proceedings, attended the trial, which was also reported in the local media.

On 26 June 2002 the High Court granted the injunction and, in respect of all plots other than 1, 2, 2A and 3, set a date of 1 November 2002 for compliance. The injunction order has been served on the Community Law Partnership and on Peter Kingshill and Co. We are now writing to all site owners and occupiers, enclosing a copy of the Order drawn up by the Court. If you are one of those represented by the Community Law Partnership or Peter Kingshill & Co you will already be aware of the injunction and its terms. If you are a party to the proceedings but are not represented by either of those firms, or are not a party to the proceedings then we draw your attention to the terms of the enclosed Order: These include:

- 1 All breaches of planning control, including

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(a) use of the Site (which is shown edged red on the plan attached to the Order) for residential occupation;

(b) the siting of caravans, motor-caravans and motor-homes on the Site;

(c) the siting of vehicles, equipment, plant, machinery and/or structures

must cease by 1 November 2002. Also, by that date, it is ordered that

(d) the construction on the Site of sheds, buildings, other structures (whether temporary or permanent) and of any hard-standing or hard surfaces shall cease;

(e) all vehicles, caravans, motor-caravans and motor-homes shall be removed from the Site;

(f) all buildings and other structures (both temporary and permanent) on the Site be demolished and removed;

(g) all areas of hard-standing and other hard surfaces on the Site be removed so that it is suitable for agricultural use.

2 Any references above to any use, activity or operation include causing or permitting the same.

3 Defendants (including "Persons Unknown") who cease using and/or vacate the Site in accordance with the above terms shall not at any time occupy or use as a residence (whether temporary or otherwise), or station or store caravans, motor-caravans and/or motor-homes and/or any structure, vehicles, plant and/or equipment on the Site.

4 All Defendants to the claim (including "Persons Unknown") are ordered not to obstruct the Council, its agents and contractors in entering the Site and carrying out any works required to remedy any outstanding breaches of planning control after 1 November 2002 (subject to the Council giving two days' prior written notice to the Site occupiers).

5 The above terms are stayed as against the named Defendants listed in Schedule 2 to the Order and as against that part of the Site shown hatched green on the plan (comprising plots 1, 2, 2A and 3) pending determination of an outstanding application for planning permission in respect of that part of the Site.

6 For the duration of the stay referred to in 5 above, no more than 12 caravans, motor-caravans and/or motor homes are to be sited on plots 1, 2, 2A and 3 as a whole, and no more than three on each of each of the four individual plots.

If the terms of the Order are not complied with by 1 November then our client intends to enter the Site and make good any breaches of planning control, unless both such breaches relate to plots 1, 2, 2A and 3 and the effect of the injunction remains stayed against those plots, their owners and occupiers. Obstruction of the Council in doing so will amount to a breach of the Order and may lead to liability for contempt of Court, the penalties for which include a fine or imprisonment.

If you are in any doubt as to the effect of the enclosed Order you should obtain independent legal advice from, for example, a solicitor or Citizens' Advice Bureau.

Yours faithfully

Mills & Reeve



Enc: Copy injunction order

Woodlands Caravan Park

Hatch Road

Hatch

Bedfordshire

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Woodlands Caravan Park

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